

**PUBLIC MEETING  
December 16, 2010  
MINUTES**

Chairman Mike Murray called the meeting to order at 9 a.m.  
Commissioner Derek Brown and Commissioner Andy Hunthausen were present.  
Others attending all or a portion of the meeting included: Eric Bryson, Christal Ness, Mark Simonich, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution 2010-350 Ordering a Refund of Taxes/Fees/Assessments Paid by Frances E. Kutcher in the Amount of \$50.56. (Cheryl Green)
- b. Resolution 2010-351 Ordering a Refund of Taxes/Fees/Assessments Paid by Ronald G. Geesling in the Amount of \$14.45. (Cheryl Green)
- c. Resolution 2010-352 Ordering a Refund of Taxes/Fees/Assessments Paid by Lynn & Chere Repplinger in the Amount of ~~4367.88~~ \$367.88. (Cheryl Green)
- d. Independent Contractor Contract Between Lewis & Clark County and T&C Fencing, Inc. for Snow Removal Services at Coop. Health Center in Lincoln, MT (Pam Novak)

Eric Bryson reported on the consent agenda and recommended approval.

No public comments were received.

Commissioner Hunthausen moved approval of the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

Contract and Encroachment Agreement Between Lewis and Clark County and Kelsey and Tracy Nelson. The underground propane tank on Lot 49, Panoramic Meadows Subdivision, (a.k.a. Panoramic Trails Subdivision), also known as 3313 Arabian Road East, Helena, MT, is encroaching into the 10-foot utility easement on the west side of the lot. (Christal Ness)

Christal Ness reported that the Nelsons have constructed their house eave and buried their propane tank across Qwest's main feeder line that serves Hauser Dam. The easement pre-existed the subdivision plat. An agreement has been granted by Qwest for encroachment into that pre-existing utility easement.

Commissioner Hunthausen asked if the process can be improved because it seems to be a pretty consistent problem. Ms. Ness stated that recently the Planning Department has developed a checklist for people to go through and they are renewing conversations relative to development permits.

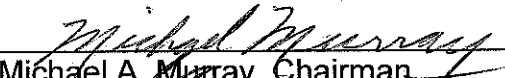
No public comments were received.

Commissioner Brown moved approval of the encroachment agreement as presented and authorized the Chair to sign. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:13 a.m.

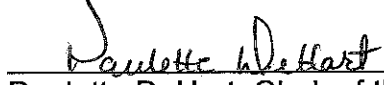
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Michael A. Murray, Chairman

  
\_\_\_\_\_  
Derek Brown

  
\_\_\_\_\_  
Andy Hunthausen

ATTEST:

  
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Paulette DeHart, Clerk of the Board